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Vol., V. No. 4.

NEW YORK, Saturday, January 24, 1874.

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That work omitted some volumes of American reports. These volumes have been included in this Digest. The whole body of American reports is therefore represented.

In planning the mode of executing the task, the friends of the former UNITED STATES DIGEST have been consulted extensively, and the undersigned has been governed by their views.

Upon the question of classification, the general preference has been to follow substantially the classification of the former work; admitting, however, moderate alterations, to accommodate the system to the changes in legal nomenclature which have been so widely introduced by legislation and codification in recent years. A full Table of Contents, exhibiting the classification employed, will appear at the close of the last volume.

Upon the arrangement of decisions under the separate divisions and subdivisions, a general wish has been expressed for a change of method. In the former work, the decisions gathered under any one subdivision of a title were, generally, arranged by States in a geographic order. In this, the logical connection of the decisions is made the leading guide in arrangement. If the subject appears to be one depending on principles and considerations of general operation, so that a comparison or contrast of decisions gathered from various jurisdictions promises to be useful, the decisions are arranged in logical order of subject-matter. If the subject is one governed by local, positive law, so that the reader is chiefly concerned to know what has been, in fact, the course of decision in each State distinctly, the decisions are arranged by States; following, however, the alphabetic order. This method of arrangement, deemed adapted to subserve the study of comparative jurisprudence, and to facilitate efforts to harmonize the decisions, is a leading difference between the present work and its predecessor.

Upon the question whether the size of the work might be reduced by any omission of deci ions—such, for example, as those which have become obsolete by changes in statute law, those which are purely of local or special application, and those which have been disapproved or overruled—the expression of opinion has been strongly in the negative. With very few exceptions, therefore, chiefly some decisions which have been directly and unequivocally reversed in a higher court, the editor has aimed to present, at least by way of citation, and generally in full statement, all the cases found in the older work. This Digest therefore exhibits the history and growth of our law, as well as its present rules; and care should be taken, by the reader, to distinguish between what is past and historic, and what is present and operative.

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DECEMBER, 1873.

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#### NOTES IN SEASON.

It is announced that the semi-annual (spring) trade sale of books, etc., will be commenced on Thursday morning, March 24th, and that invoices for catalogue should be in the hands of the auctioneers on or before February 1st. Terms and regulations as usual.

A VOLUME of "Thoughts for Lent," by Bishop Oxenden, of Montreal, will be issued by Messrs. Randolph & Co. early in February. An American edition of Dean Alford's book on "The State of the Blessed Dead" is also about to be published by this house.

WARREN & WYMAN will publish early in February a devotional book by George Macdonald, "Cure for Thought-Taking"-a choice little volume, bearing consolation and encouragement to those who are burdened with care.

THE Life of Mrs Barbauld, by Mrs. Ellis, a daughter of James L. Little, one of the merchant princes of Boston, will be published by Osgood & Co. in February. It is mainly based on Miss Aikin's biography, but contains some new matter.

THE new volume soon to be added to their fine edition of Charles Sumner's writings by Lee & Shepard, will be called "Prophetic Voices con-cerning America." Its basis is an article contributed by Mr. Sumner to the Atlantic Monthly, several years ago, and which he has expanded and

THE admirable "Advanced Science Series" of the Putnams will shortly be extended by three new volumes, "Animal Physiology," by Prof. Cleland; "Inorganic Chemistry," by Prof. Thorpe, and "Physical Geography," by Prof. Young. The previous issues of these series have met with very high commendation for the r conciseness, clearness, and practical value.

THAT clever novel of present life, "The Wetherel Affair," by Mr. De Forest, which readers of the Galaxy took much delight in last year, is the Sheldons' first publication of the year. Ex-Secretary Welles' book on "Mr. Lincoln and Mr. Seward" is finished in MS., and is now in the printers' hands. The Galaxy portion includes only one-quarter of the volume, and even that has been thoroughly revised. The book may be expected early in the spring.

THE Scribners will publish the first week in February an admirable little volume on "Self-Culture," by Prof, Blackie. This is a kind of book that is always sure of a wide circle of readers, and the new volume is one of the most practical and best of its kind. The new edition of Agassiz's Lectures on the Structure of Animal Life, an American reprint of Max Müller's recent remarkable lecture on "Missions," in a 75 c. volume, and the new volume in the popular "Library of Travel," "Central Asia," by Bayard Taylor, will appear at the same time.

THE Appletons' list for immediate publication embraces Rich's "Dictionary of Antiquities, which condenses a vast amount of classical information into convenient shape, and Prof. Cooke's contribution to the International Series, "The New Chemistry." This latter work is based on Agradro's law, that equal volumes of all substances, when in the state of gas and under like conditions, contain the same number of molecules, in which is found the unifying principle of chemical science, The following volumes are in an advanced stage: Balfour Stewart on the "Conservation of Energy," a work on "Animal Locomotion," and Dr. Maudsley's important volume on "Responsibility in Mental Disease."

THE second and concluding volume of Dr. Moffatt's work on the "Comparative History of Religions" is ready for publication at Dodd & Mead's. Its treatment of the subject is exceedingly interesting while highly philosophic, and it has already been adopted as a text-book at Princeton Seminary. A new book, said to be her best, by Edward Garrett, under the title of "Gold and Dross," and a new story by Hesba Stretton, "Cassy," are also in hand.

Two new volumes of the "Leisure Hour Series," " Prospero," translated from the French of Victor Cherbuliez by Chas. Astor Bristed, and Mrs. Jenkins' "Jupiter's Daughters" are ready for publication at Henry Holt & Co.'s.

EVERY one who has mourned the mutilation, alteration, and desecration of the old songs of praise in multitudinous new and revised editions, is interested in the fact that a volume of "Familiar Hymns in their Original Forms," by Rev. William L. Gage, is to be issued by A. S. Barnes & Co.

#### ALPHABETICAL LIST OF BOOKS JUST PUBLISHED.

The Prices in this List are for cloth lettered, unless otherwise indicated. Imported Books are marked with an asterisk;

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Mr. Lincoln and Mr. Seward. By Gideon Wells, late Secretary of the Navy.

#### N. TIBBALS & SONS, New York.

The Last Day of Christ. A Harmony. Compiled by A. G. Jennings. 16°, pp. 120. 75 c.

The Blood of Jesus. By Rev. Wm. Reid. 18°, pp. 118.

The Bible Word-Book. A Glossary of Old English Bible Words. By J. Eastwood, M.A., and W. Aldis Wright, M.A. 16°, pp. 576. \$1.50 (Fan. 28.)

First Supplement to the Theologian's Catalogue. 8°, pp. 8. (Feb.)

#### WARREN & WYMAN, New York.

Mode of Baptism. By Rev. Samuel Hutchins. 16°, pp. 280. \$1.25. (Feb. 10.)

Cure for Thought-Taking. By George Macdonald. 18°, pp. 48. 50 c. (Feb. 10.)

#### WILSON. HINKLE & CO., Cincinnati.

Manual of the Constitution of the United States, designed for the Instruction of American Youth in the Duties, Obligations, and Rights of Citizenship. By Israel Ward Andrews. 12°, pp. 400.

#### Publishers' First Announcements.

From the New York Commercial Advertiser for Week ending January 19.

#### JAN. 14.

J. B. Lippincott & Co .: - Hubert Freeth's Prosperity, by Mrs. Crossland (by arrangement). - Restored. - Les Ardennes, from the French of E. De Montagnac. - Promenades de Paris, from the French of Alphand.

Harper & Bros .: - Story of Valentine and his Brother.

#### JAN. 15.

JAN. 15.

Scribner, Armstrong & Co.:—New Japan. the Land of the Rising Sun; its annals during the past twenty years, recording the remarkable progress of the Japanese in Western civilization, by Samuel Mossman Austin, of "China," etc.—Shadows of a Sic. Room.—The Moon, by James Nasmyth.—Tosier's Lectures on the Geography of Greece.—Proverbs on Words of Human Wisdom, and a Preface by Canon Liddon.—A Dictionary of Christian Antiquities and Biography, edited by Dr. Wm. Smith.—A New Work on Political Economy, by Prof. Cairnes.—Les Applications de la Physique aux Sciences, à l'industrée et aux arts, transl. from the French of Guillemin.—Lettres à une inconnue, transl. from the French of Prosper Mérivirée.—Songs of Killarney.—For Beauty's Sake.—Longevity, by Dr. John Gardner. Gardner.

Shepard & Gill:-The Chesterfield Letters for 1873, edited by J. M. Merrick.

Henry Holt & Co.:—Our Forefathers; a novel, by Gustav Freytag, part 2.—The Nest of the Wrens.

Scribner, Armstrong & Co.:—Les Merveilles de la Mécanique, from the French of E. Colignon.—Les Merveilles de la Locomotion, from the French of De Narme.—L'Envers du Théâtre, from the French of Moynet.—La Photographie, from the French of Tissandier, (each with ilustrations by Binnafoux, Jahandier, Marie, and Bayard).—Les Quatre pièces d'or, from the French of Mile. Gouraud, with illustrations by Bayard.—The Antiquities of Israel, by Heinrich Ewald.—The Folk Lore of Rome.—All Round the World, Meeting the Sun.—A School History of Greece, By G. G. W. Cox.—Fowle's Greek Books.

Harper & Bros. :- Stories of Arctic Adventure, by Mrs. Chisholm.—Ninety-Three, tranal by Frank Lee Benedict.
—The Sherlocks.—The Tales of Belkin.—George Lisle.—
Cassy.—New Japan, the Land of the Rising Sun.—The
Conqueror and his Companions.—Once and Forever.—A
Life's Reward.—For Beauty's Sake.—Kate Savage.

Henry Holt & Co.: - The Best of Husbands. - Victor and Vanquished.-Political Economy, by Prof. Cairnes.-Alice Lorraine.-New Japan.

J. B. Lippincott & Co.:—By Still Waters, by the author of "Crooked Places," etc.—Novantia, by O. M. Caird.—Days Near Rome, by A. J. C. Hare.

JAN. 16.

Jas. R. Osgood & Co .: - The Mysterious Island, by Jules

JAN. 19.

J. B. Lippincott & Co.:—Between Two Fires.—Lord Harry Bellair.—Once and Forever.—Frank Sinclair's Wife. —Laura Erle, by the author of "Blanche Seymour,"

#### RECENT FOREIGN PUBLICATIONS

#### ENGLAND.

Present rate of Importation, about 50 c. per shilling.

Bellew, H. W. From the Indus to the Tigris: a Narrative of a Journey in 1872. With a Synoptical Grammar and Vocabulary of the Brahve Language. 8°. Trübner....145.

Brown, R. The Races of Mankind. Vol. 1. Roy. 8'.

Catholic Sermons: Select Discourses by eminent Ministers of various Denominations. Vol. 1. 8°. Longmans. 2s. 6d.

D'Alviella, Count G. Sahara and Lapland. From the French by Mrs. Cashel Hoey. Post 8°. Asher......6s.

Hepburn, J. C. Japanese-English and English-Japanese
Dictionary. 4°. Trübner......12s. 6d.

Klein, E. Anatomy of the Lymphatic System. 8°. Smith 

Lees, Florence S. Handbook for Hospital Sisters. Post . Isbister....

O'Curry, E. Manners and Customs of the Ancient Irish. Ed. by W. K. Sullivan. 3 vols., 8°. Williams & N....42s.

Parker, J. H. The Archæology of Rome. Vol. 1, in 2 parts: Text and Plates. 8. (Oxford, Parker) Murray.21s.

Rowland, Rev. James, Memorials of. By his Daughters. Cr. 8°. Hodder & S......3s. 6d.

Study (The): Helps for Preachers from English, American, and Continental Sources. 1st series. Roy. 8°. Dickin-800 ....

Upham, F W. The Wise Men: Who they were, and How they came to Jerusalem. Post 8°. Hodder & S......5s.

Winslow, L. S. Manual of Lunacy. With Preface by Forbes Winslow. Post 8°. Smith & E......12s, 6d.

#### FRANCE.

Present rate of Importation, 33 c., gold, per Franc.

Butenval, le comte de. Politique économique et négociations commerciales du gouvernement de la République fran-

Chardonneau, F. Instructions nautiques sur les côtes du Chili et de la Bolivie. In-8°. Cha.lamel......8 fr.

Chatin, J. Recherches pour servir à l'histoire anatomique des glandes odorantes des mammifères (carnassiers et rongeurs). In-8°, 242 p. et 15 pl. Masson.

Houtteville, Gauchat et Carra de Vaux. Accord de la raison, des faits et des devoirs sur la vérité du catholicisme. Publié par M. l'abbé Migne. In-4°. Migne.......8 fr.

Mustapha, Jung. Voyage autour de ma tente (souvenirs militaires). In-18 jés, 329 p. Pion.

Papillon, F. La Nature et la vie. Faits et doctrines. In-8°, iv-463 p. Didier.

Tableau général du commerce de la France avec ses colo-nies et les puissances étrangères en 1871. Direction géné-rale des douanes. In-4°, lxiii-710 p. Imprim. nationale.

#### GERMANY.

Present rate of Importation, \$1.10 gold, per Thaler, à 30 gr. Heinrich, Dr. J. B. Dogmatische Theologie. 1. Bd. 1. Abth. gr. 8. Mainz, Kirchheim....... Th. 6 gr.

Leyder, C. Die Lehre v. den Ideen in e. Reihe v. Untersuchungen üb. Geschichte u. Theorie derselben. 1. Abth. gr. 8. Frankfurt a. M., Heyder & Zimmer.... 2 Th. 20 gr. Heyder, C.

Müller, F. Max. Einleitung in die vergleichende Reli-gionswissenschaft. 8. Strassburg, Trübner...2 Th. 20 gr. Beigel, H. Die Krankheiten d. weibl. Geschlechts. 2 Bde. 1. Bd. gr. 8. Erlangen, Enke....... 5 Th. 10gr.

Bilder-Album, natur- u. cultur-hi-torisches Mit einleit. Vorwort v. Dr. Ule u. Dr. Karl Müller. 1. Líg. 406 Ab-bildgn. (in Holzschn.) Halle, Schwetschke.... Th. 10 gr.

Copernici, N. de revolutionibus orbium caelestium libri VI. Accedit Georgii Joach. Rhetici de libris revolutionum narratio prima. Fol. Berlin, Weidmanu....... 10 Th.

Mayer, A. Lehrbuch der Gährungs-Chemie. gr. 8. Heidelberg, C. Winter...... 1 Th. 25 gr.

Hiller, F. Felix Mendelsohn-Bartholdy. Briefe u. Er-rinnerungen. gr. 8. Köln, Du-Mont Schaumberg.

Pröhle, H. Patriotische Errinnerungen. 3 Th. 10 gr. ker & Co. 1 Th. 15 gr. Körner, F. Süd-Afrika. Natur-u. Kultur-Bilder m. Uebersicht der neueren Raisen. Illust.

Körner, F. Süd-Afrika. Natur-u. Rund. Uebersicht der neueren Reisen. Illustr. gr. 8. Leipzig, Hirt & Sohn. 4 Th.

Stuttgart, Haliberger..... Th. Hellwald, F. v. Geschichte d. holländischen Theaters. Lex. 8. R. tterdam, v. Baalen & Söhne...... Th. 20 gr.

MR. VAN NOSTRAND has still a few sets of the admirable "Monthly Record of Scientific Literature," and these he proposes to bind in a neat flexible cloth, issuing the volume at \$1.00. It will contain 24 numbers, bringing the lists to next April. The record comprises tables of contents of the leading scientific journals, and lists of the scientific publications of each month, so that the volume will be of very great worth to scientific men, book collectors, and librarians, being as it were, a scientific "Poole's Index."

" A HAND-BOOK of Dyeing and Calico Printing," by William Crookes, to be issued shortly, promises much useful information to the craft.

THE seventh number of Van Nostrand's admirable "Science Series" will be issued in a few days. It is a thorough practical treatise on "Surcharged and Different Forms of Retaining Walls," by James S. Tate. The eighth number of the series will be by John Turnbull, on "The Compound Engine," supplying a treatise that has long been wanted.

#### The Dealers' Dilemma.

As the Publishers' Weekly gives room to any views honestly expressed, no matter how extreme, we print to-day the communications of two bookbuyers who are certainly entitled to a voice in the present bookselling difficulties. It is not our intention to defend or refute the points taken by these correspondents, but we may say that although stating a few truths, both are doing great injustice to publishers, as well as dealers, by their sweeping assertions. In charging the trade with making its own interest supreme in the contest they should not forget that they are doing precisely the same from their stand-point. It cannot be the question of "fleecing the public" or of "dictating" to others "how to conduct their business," when it is simply a question of preventing an honorable trade from going to rack and ruin. Nevertheless, we are thankful for these frank effusions, for only an unlimited audi alteram partem will make it possible to weigh off the conflicting rights and wrongs, and to conciliate extremes by an equitable compromise.

We agree with Mr. Peabody that "the interest of the public is in the end the interest of the trade"—of any trade; but beg to caution him, lest his statements may afford less "instruction" than "amusement" to the tried publisher, that when making his publishing and jobbing estimates he leave not out certain weighty factors that cannot invariably be put in figures.

Both correspondents are hard on the retailer. But why would Mr. —, who prefers a fresh copy from the bookseller's shelf to a defaced one, not give his order to that bookseller who offered to take it; at the same time make known "the subjects which interest him," and become a steady customer whose interests are worth studying thus satisfying three parties-himself, bookseller' and publisher? In not doing so there is a loss, but where the gain to him? Yet he reasons: "You country booksellers cannot afford to keep books for sale;" "Competition has destroyed all profit;" ergo, though I know what I want, I won't order from you; I won't add to your profits until "two-thirds of you go West and farm it." There is encouragement to lay in stock! Mr. Peabody, on the contrary, reasons: "You retailers are not, as you were formerly, forced to hold a large stock; people know better what they want, and order as they want; ergo, I won't pay the retail price fixed by the publisher; ergo, if you cannot discount, go to the wall."

It may be satisfactory to both parties to learn, that to judge from present indications, the coming convention in trying to devise remedies for the crying evils, will most likely meet them half way. Will they go the other?

WE have received from a house at Tuskaloosa,

Alabama, whose example we commend to the trade, a letter enclosing an order for school books, from a school in that State, which, however, parenthetically observes that unless discount is allowed the writer will be obliged to send to New York, where he can get from a prominent publishing and jobbing house 25 to a third off. Our correspondent declined to furnish the books on those terms, citing the decision of the Booksellers' Union, that no person, except a dealer, is entitled to a discount or wholesale price, and they rightfully call upon the other members of the trade to support them in this wise policy. We are glad to know that this question of underselling to schools is made a special question for the next meeting of the Board of Trade, which will be held in New York February 13. Messrs. Curtis, of Barnes & Co., Isaac Sheldon, and Holt, are a committee to report on the subject. We trust some effective remedy for present evils will be found, and we are glad to learn that the booksellers of the South are becoming as alive to these topics as their brethren at the West.

WE reprint in this number, as promised, the documents relating to the convention at Cincinnati next month, to supply the demand which had exhausted the supply of the number in which they were originally printed. In our next number we hope to print an editorial resumé and discussion of the evils of the trade which are likely to come before the Convention, and of the several remedies which have been suggested.

#### LETTERS TO THE EDITOR.

The interests of the trade cannot be better served than by a full discussion by its members of all questions which affect it. Our columns are always open to communications on any such subject, and we cordially invite the trade to express any suggestions or opinions of interest or value in "Letters to the Editor."

#### Publishers and Dealers all Wrong.

AMHERST, Mass., Dec. 28, 1873.

To the Editor of the Publishers' Weekly.

By mistake, doubtless, your journal has fallen into the hands of one not in "the trade." Constant and careful perusal thereof has afforded much instruction and some amusement. The latter comes in when reading the animated controversy between the wholesale and retail sellers of books. The public seems to be a party to this dispute whose interests are wholly ignored. Like the wheat between the upper and nether mill-stone, its business is to be ground.

The traditions and customs of the book trade, although descended from a former generation, are not therefore to be revered. They have not kept pace with the times, and here lies the germ of the present difficulty. The art of stereotyping, without seriously enhancing the cost of publication,

while it locks up some capital in plate, saves the publisher from investing a yet larger sum in printed sheets, until he knows the fate of his venture with the public. His capital is more quickly and safely turned, and therefore the per cent. of his profit on each turn may with safety be lowered.

The case is yet stronger with the retailer. Before the present facilities for sending orders and getting books, the retailer was forced to hold a large stock, much of which eventually became unsalable. His profits were greatly reduced by loss on "standard" works. Such is the case, at present, to a far less degree. People know better what they want, and order as they want. They would order through the retailers if they could without paying exorbitant rates for doing the business. The wholesale dealers know this, and hence they and the public are drawing nearer to each other for mutual benefit. What other trade demands 50 per cent. profit on its regular standard traffic, or 50 per cent. for the execution of an order? The retailers say that without their traditionary profits they must go to the wall. If it be true, which we do not believe, let them go. The public can spare them altogether better than pay such rates.

But the publishers are not without blame. Let a case illustrate.

A \$1.25 book, 12mo, 220 pp., cloth, costs to manufacture about 37 cents. The publishers pay for copyright and use of plates, 18 3-4 cents; total cost, 55 3-4 cents. On this they ask a profit of nearly 50 per cent., selling at 83 1-3; on this the retailer again demands 50 per cent., selling at \$1.25. Now, we submit that these "takes" are altogether "too fat." This book can be sold at \$1 and then leave a large profit for both publisher and retailer, while at the reduced price the public would buy much more freely. The history of the school book trade, weighted as it is by a cumbrous and costly system of agencies, introductions, and exchanges, gives force to our statement.

But, it will be said, you take no account of the jobber. Of course not, for the jobber is a publisher; he gets a discount of 40 per cent., but he pays in his own books, also less 40 per cent., and the rate of exchange is of no moment. It is the old story of buying dogs and paying in puppies.

The retailers mourn their lost trade, and seek to regain it by combining against publishers.

The remedy advised is that retailers and publishers should combine to fleece the public. The public will gladly return to the retailers when it finds that they are mindful of its welfare. Would not both publishers and retailers find that the interest of the public is in the end their interest?

Respectfully, S. H. PEABODY.

#### And Dealers in Particular.

JAMESTOWN, Dec. 23, 1873.

To the Editor of the Publishers' Weekly:

Has a country bookbuyer any plank in the platform in the forthcoming scrimmage between the booksellers and the publishers? If he has, I propose to jump on and put in my oar, on one of the much-talked-of "wrongs" the country booksellers are called upon to "suffer": and that is, the sending of books by mail, by the publishers, at the usual retail price, to whomsoever shall order them. This the booksellers complain of bitterly, I perceive, all over the country, and it strikes me, without any reason whatever.

For certainly no sane man will venture to dispute 'this assertion: That there is no buyer of books in the country who wouldn't infinitely prefer, in buying a new book, to have one fresh from a bookseller's shelves, to ordering and receiving it, more or less defaced, as it always is, by mail. This granted, what is the indisputable inference? That any such buyer of books orders them by mail ONLY because he cannot rely on getting them at the bookseller's.

Now, let me state my case. I am a lover of books and a buyer of books and (this in parenthesis of course) a subscriber to the PUBLISHERS' WEEKLY, and endeavor to keep myself posted about books, and am always impatient to possess a new book on a subject which interests me, as soon as it is published. I live a mile or so from a manufacturing village of several thousand inhabi. tants, which rejoices in one news depot where you may find segars and newspapers, some little stationery, a few school-books, and a satchel full, perhaps, of miscellaneous books. If I were to go in there and inquire for a copy of Herbert Spencer's Sociology, the proprietor would probably look up in astonishment and reply that they kept doctor's things at the drugstore opposite. Ten miles away in another direction is an ambitious inland city, of perhaps 25,000 inhabitants, which we will call Hammersmith, with a half-dozen bookstores. When I first came to live here a few years ago, I supposed I should readily find all the new books there, and occasionally drove all the way there on purpose to buy some particular book. I think I drove out there fully half a dozen different times in pursuit of as many different books, and only once succeeded in obtaining what I went for. I remember one morning's experience looking for a new book I very much wanted to obtain that day. At the first store I inquired I was told "that they had just sold their last copy; would have more in a few days"; at another, "that the book was out of print"; at another, "that they hadn't it, but would take my order for a copy," and so on to the end of the chapter, and I had to go home without my book. I there and then resolved to make my purchases direct by mail from the publishers in future, and have done so to date; and now I should like to know, Mr. Editor, from you, or from any of your numerous correspondents, what justice there is in these country booksellers, as they call themselves-but who cannot afford to keep books for sale-demanding from the publishers that they shall charge me an advance on the price of their books, in order to protect them (the booksellers) in their trade? No, sir, the bookbuyers have some right to be heard in this discussion. There are many of this class who live at a much greater distance than I do from any one pretending to be a bookseller; and do you say that they must all pay a bonus to protect the interest of the nearest bookseller? Pshaw! Away with such gabble, in this nineteenth century! The booksellers may meet in convention and resolve till they are blue, but they will never be able to dictate to such houses as Harpers, Appletons, and Osgoods how they shall conduct their busi-

No, Mr. Editor, the booksellers have seized the bull by the tail, instead of the horns. The reason they have not made money will be found to be, that there are too many of them. Competition has destroyed all the profit there might have been in the business. Now, in Hammersmith, for instance, there are six booksellers, where at most a fair living could only be expected for two; therefore

they must all linger out a consumptive existence, in debt for their stock and in debt to the local banks. If the booksellers would resolve, therefore, to any purpose, let them resolve—two-thirds of them at least—to "Go West" and farm it; and then those who remain might make a respectable living by their business. If you divide a single loat of bread among half a dozen hungry men, they must all go hungry; whereas, if one had eaten it all, his hunger might have been satisfied.

#### Booksellers' Protective Union.

(Reprinted from the WEEKLY, for Jan. 3, 1874. See also last issue.

SPRINGFIELD, O., Dec. 25, 1873.

THE next meeting of this association has been postponed to Feb. 12, 1874. This is done at the instance of a large number of friends of the movement to give time to communicate with the publishers, and in the hope that the meeting in February will be a general meeting of booksellers and publishers, and result in much good to the trade.

J. W. Gunn, Springfield, O. T. C. O'Kane, Delaware, O. A. F. Payne, Dayton, O. ABEL Low, Springfield, O. ABOWARD L. Ross, Hamilton, O.

Executive Committee.

#### SPRINGFIELD, O., Dec., 25, 1873.

To the Publishers and Jobbers of Books:

DEAR SIRS: It is made the duty of the Executive Committee of "The Booksellers' Protective Union" to submit to you the accompanying letter, which is signed by most of the leading booksellers from West Va. to Kansas, and from the Lakes to Tennessee. So much has been said upon the general subject of the letter through the columns of the Publishers' Weekly, and in other journals, that it is not at all necessary to elaborate the petitions.

You will see by a notice in this number of the WEEKLY that the next meeting of the "Booksellers' Protective Union" has been postponed to Thursday, February 12, 1874, and will take place at

the Burnett House, Cincinnati, O.

We hope to have many responses to this communication, and invite publishers and jobbers generally to meet with us in convention at that time. From the facts that our interests are mutual, and that several publishers and jobbers have already expressed their willingness to adopt some regulations looking to a reform, we are encouraged to hope for a speedy remedy of these evils.

We shall be pleased to have communications from any publisher or jobber who cannot meet

with us in convention. Respectfully yours,

J. W. Gunn, Springfield, O. T. C. ()'KANE, Delaware, O. A. F. PAYNE, Dayton, O. ABEL Low, Springfield, O. Howard L. Ross, Hamilton, O.

Executive Committee.

To the Publishers and Jobbers of Books:

GENTLEMEN: At a Convention of Western Booksellers, held at Cincinnati, October 16, 1873, the following preamble and resolutions were unanimously adopted:

"Whereas. A great irregularity exists in the book trade, viz.: publishers and jobbers selling books to persons not in the trade, at nearly the same discount as to the trade, and in some instances at even a greater discount, therefore,

\*\* Resolved, 1. That we consider the foregoing irregularity as very detrimental to the interests of both the publishers and retail dealers.

"Resolved, 2. That the various publishers and jobbers throughout the country are under obligations to the trade to immediately discontinue this custom, and furnish no one outside the trade with books at any other than the regular retail prices, except school books for first introduction."

The undersigned retail booksellers call your attention to the above resolutions, and respectfully request that you comply with the second resolution.

with the second resolution.	
FIRM NAMES. PLACE OF	BUSINESS.
J. W GunnSprii	ngfield, O.
Chas. Anthony	44
Abel Low	44
Prugh & Bro	*14
Payne, Holden & Co., and other firms	Dayton, O.
Howard L. Ross	
W. H. Gillard	
S. C. Richey	66
T. C. O'Kane & CoDe	laware, O.
Madden & Sargent	
Geo Sotterthwait	68
C. F. Conrey & Co	66
Geo. E. Stevens & CoCine	
P. Kram & Bro., and other firms	iiiiiiiiiiii O.
	Ti 0
Geo. P. Waldorf	
E. Kelly	
E. Miller	
J. H. V. Smith, and other firmsIndiana	
Newell SandersBlooming	
E. KirtlandRoch	
W. T. BowersLi	
W. T. Berry & CoNashv	ville, Tenn.
Wheeler, Marshall & Bruce	6.6
Tavel, Eastman & Howell	4.6
W. C. Collier & Co	64
R. H. Singleton & Co	6.6
Cumb. Presb. Board of Publication, W. E.	
Dunaway, agent	65
Hunter & Warren	44
A. H. Redford	66
D. W. Neylan	44
W. S. Duckworth	66
	44
A. Setlift	
Owen & Moore	
W. H. EngleColun	nbia, Tenn.
A. D. Thirson	
J. R. OsbornMurfreesb	
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S. C. Abbott & CoOr	
R. & J. Wilbur	44
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Chas. HumphreyAd	rian, Mich.
W. F. King	44
Ruth & Thompson	Sydney, O.
B. F. Carny	
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U. W. Welkert	84
Kansas City Book and News Co	
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(See Publishers' Weekly Dec. 13.)	
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ROPP'S RAPID RECKONER, a book for all business men, contains a number of tables adapted for all kinds of business transactions, and cal-culated by a new and scientific system of calculation, which is very ingenious, and at the same time extremely accurate and easily acquired and applied by any one knowing the multiplication table. The amount and diversity of practical information embodied in this little work is really quite won-derful. Farmers and business men after once seeing it will find it an indispensable pocket companion. To offer some idea of the various grounds the calculations cover we will mention a few of the commodities for which tables for buy-ing and selling are given: "Wheat," "Corn in Ear," "Corn and Rye," "Barley," "Oats," "Hay and Coal," "Lumber," etc., etc. Then there are tables for Interest, Time, Percentage, Gold, Currency, etc., etc. Tables of Grain Measure, rency, etc., etc. Tables of Grain Measure, Cistern, Tank, and Barrel Measure, Log Measure, Land Measure, Floor, Wall, and Roof Measure, etc., etc.; Rates of Postage, Money Orders, Short Method of Addition, Subtraction, Multiplication, Division, etc. In the book are bound up a number of blank leaves for diary use. It also contains a silicate slate for reckoning, and a pocket and pencil case. 16mo, morocco, \$1.50; cloth, \$1.00. Orders filled by Howard L. Ross & Co., Hamilton, Ohio

THE PRIDE OF LEXINGTON, by William Seton. (P. O'Shea.) The beautiful and heroic Jane Mc-Crea, with whose tragical fate history is supposed to have made every one familiar, is the heroine of this tale. The story opens in the spring of '75, and witnesses the betrothal of Miss McCrea to David Jones, a soldier in the British army. The fight at Lexington forcibly separates them for a length of time, and we are then carried, with a very strong power of description, through the taking of Ticonderoga, the battle of Bunker Hill, and the arrival of Washington at Cambridge to take command of the brave little band of volunteers who made up the Continental army. Woven in with all of this are the connicts of Jane's love story, her loyalty and devotion to the rough men who made our history. The book is so full of incidents it is impossible briefly to do justice to its plot; we must therefore leave its unravelling to the reader, contenting ourselves with saying it is well written, and presents a most vivid and lifelike picture of a time it must stir every American's heart to read of. Much research is evinced by the historical information, and the minute descriptions given of the heroes of the time. cloth. \$2.00.

How to Make a WILL, by Rev. J. B. Lee. (American Tract Society.) Of special interest to all those who are burdened with this world's goods. They will find here not only good practical legal advice as to the law relative to wills in different States, but also many earnest moral precepts, by which the making of a will is put before every man and woman as a religious duty. Husbands are exhorted to provide liberally for wives, and wives are pointedly told their duty to husbands. The claims also of children, relatives and friends are fairly stated. If after all these be provided for there is a residue, how it may be invested in "pious and talented young men," theological seminaries," and "missionary efforts," is most ably and eloquently set forth, with many injunctions as to the advantage of these heavenly risks, where "moths do not corrupt, nor thieves break in and steal." 18mo, cloth, 50 cents.

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extensively quoted and copied. It is full of facts pertaining to the social life of Europe of the present day, brought out in vivid contrast to our own home institutions, and very much to the credit of the latter. 8vo, cloth, \$1.75.

HISTORY OF THE CONQUEST OF MEXICO, by William H. Prescott. (J. B. Lippincott & Co.) The second and third volumes just received of the above work. It belongs to the new and complete edition of Prescott's works, with his latest corrections and additions, which the Lippincotts are bringing out under the supervision of Mr. John Foster Kirk. We have already spoken of the typographical elegance of the edition and the beauty of the bindings. 12mo, cloth, \$2.25 per volume.

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the royal throne of this world as the highest type of God's creation. The author, who is already known through his "Credo," shows in these sketches marked power of expression and great originality of thought. 16mo, cloth. \$1.50.

#### OBITUARY.

#### Charles Astor Bristed.

CHARLES ASTOR BRISTED, of late years best known, perhaps, as "Carl Benson," died at his residence, in Washington, on Thursday, January 15. He was one of those few men of wealth who write for the love of writing; and much travel and a command of modern languages gave his pen a refreshing freedom and fluency. He was born in New York in 1820, and was the only son of the late Rev. John Bristed, an Episcopal clergyman, who married Margaret Bentzon, eldest daughter of John Jacob Astor. He took degrees both in Vale and in Trinity, England, in both institutions gaining high honors in the study of Latin. In 1847 he married the daughter of Henry Brevoort, a literary friend of Washington Irving, and, upon her death, wedded Miss Sedgwick. He was one of the original trustees of the Astor Library. He wrote many papers, of a transient kind, for Fraser's Magazine, Knickerbocker, Whig Review, N. Y. Spirit of the Times, Clipper, and latterly the Galaxy and N. Y. Evening Post. His notable works are "The Upper Ten Thousand," a series of sketches of New York life which originally appeared in Fraser's, and his most valuable book, "Five Years in an English University," of which a revised edition has been issued within two years. His latest piece of literary work was a translation of Cherbuliez's novel of "Prospero," which was just ready for publication in the "Leisure Hour Series" at the time of his death. Mr. Bristed's labors in behalf of international copyright, assecretary of the American committee, should long be remembered with gratitude.

#### JOURNALISTIC.

It is often urged, says the Evening Mail, that the reading of periodical literature tends to decrease the reading and sale of books. Dr. Hol land's autobiographical novel of "Arthur Bonnicast'e" was printed in Scribner's Magazine, whose circulation is by no means confined to its publication office, and it is not unlikely that 150,000 people read it as it then appeared. According to those theorists, the book ought to have fallen flat. Yet the close of the year in which it was published, found it in its eighteenth thousand. What is to be said to this?

THE following weekly papers devoted to the lighter class of family reading have just been started: The New York Weekly Budget, by John S. Hillyer, \$4 per annum, ten cents per copy; The New York Reader, four cents per number; The New York Fireside Journal, by J. H. Munson & Co., three cents per number. The Saturday Morning, another paper of the Ledger and New York Weekly description, is promised by Prof. Wm. Henry Peck.

THE Lithograph is a new monthly, devoted to the lithographing trade and associated branches published by Charles Hart, at \$1.50 per annum.

THE American Artisan, New York, has changed to a monthly of 32 pages, \$2 per annum.

THE Druggists' Price Current, New York city,

has been purchased by William O. Allison, and merged into the Oil, Paint and Drug Reporter.

Nature has commenced a series of portraits of eminent scientific men, which are issued as gratis supplements. The first, a likeness of Faraday, is one of the best copperplate engravings produced for some time. It is the work of Mr. Jeens,

A NEW monthly literary journal is issued under the title of the *Literary Herald* by Fiske & Co., of Fleet street, London.

THE Navy, edited by Captain Pim, made its first appearance on the 7th inst.

A NEW journal has appeared in London under the title of the *Brewer and Distiller*, intended to represent the interests of these trades.

A NEW journal is announced under the title of the *British Architect*, to advocate the interests of architects, builders, etc.

THE article on the Cuban Insurrection in the current number of the Edinburgh Review, contains the most recent and complete account which has been published in Europe of that sanguinary contest, taken in part from what is termed the "Cuban Book of Blood."

A NEW monthly magazine, to be called the Christian Evidence Journal, edited by Mr. B. H. Cowper, was started on the 1st of January.

A CHARMING paper on "English Sundays and London Churches," by the present literary editor of the *Evening Post*, Mr. E S. Nadal, will appear in the forthcoming *Scribners*'.

THE Young Men's Christian Association, of New Orleans have started a paper, the Y. M. C. A. Chronicle, and request books for review; to be sent to the care of Messrs. George Ellis & Bro., No. 82 Camp st.

Church's Musical Visitor has changed its form and style of "make up." It has also been enlarged, and has adopted wide columns after the manner of the London Musical Times.

THE new literary weekly, under the old name of the Academy, appeared in London with the new year according to promise. It costs a penny more (4d.) than the Athenæum, but promises to be a formidable rival to that staid and venerable journal, much more full, and fresher in its literary and other intelligence, and having among its writers some of the best names in England. All its articles are to be signed, and among the contributors to the first number are Frances Power Cobbe and Max Müller.

THE Weekly Public Opinion is a new Republican paper, published by Wm. S. & E. W. Sharp, Trenton, N. J., at \$2 per annum.

THE Cottage Hearth, "a Journal of Home Arts and Aids, Home Life and Leisure," is a new monthly published by Milliken & Gould, Boston, at \$1.25 per annum.

VICTOR HUGO'S new novel, "In the Year '93," is to run as a serial in the London Graphic, so that the publication of the completed work will be deferred some months.

THE first edition of the little book, "Goethe and Mendelssohn," has been exhausted; and a second edition, to be published immediately, will contain a dozen new letters addressed by Mendelssohn to the Horsley family. A translation of Dr. Hiller's Recollections of Mendelssohn is to appear in Macmillan's Magazine.

## LITERARY AND TRADE NEWS.

N. TIBBALS & Sons have just issued a new edition of their "Theologian's Catalogue," with addenda to January, 1874. This work contains the titles and prices of more than 11,000 books, classified under proper headings, and is exceedingly valuable.

A WORK on "The English Drama," by Prof. A. W. Ward, treating particularly of the early development of histrionic art, is to be published by Macmillan & Co.

"THE New Don Quixote; or, The Wonderful Adventures of Tartarin of Tarascon," from the French of Alphonse Daudet, will be one of the most amusing books of the year. It is a satire on the proneness of the southern French to exaggeration. The hero has acquired a commanding reputation as a huuter in his own village, though he has never passed its bounds; and the story tells how public sentiment forced him, much against his will, to make a lion-hunting expedition into Africa, and of the strange adventures that befell him there. H. B. Fuller, Boston, announced the book some months ago; but its publication has been delayed till the present time.

PROF. BURT G. WILDER, of Cornell University, the protegé and friend of the late Prof. Agassiz, has written a book on a very delicate but important subject. It is "What Young People Should Know," and is an exposition of the anatomy, physiology, and hygiene of the sexual organs. Estes & Lauriat will publish it.

EDWARD Foss, F.R.S., author of "The Lives of the Judges of England," has written "Memories of Westminster Hall." It is a collection of anecdotes, incidents, etc., relating to that famous temple of justice, and the distinguished men whose names are associated with it. It will be issued in two handsome octavo volumes by Estes & Lauriat.

GEN. CUSTER is writing the last pages of his "Life on the Plains," which Sheldon & Co. will publish this spring. They have also a novel by Lillie Devereux Blake, which, under the title of "Lord and Master," deals with the vexed woman suffrage question, and are to print, also, another novel by Mrs. Annie Edwards, published in England as "Creeds," but which title, as somewhat misleading, she prefers to change to "Estelle." Mrs. Edwards herself considers this perhaps the best of her novels. The title of Mrs. Blake's novel, we may add, is too near "Her Lord and Master," by Mrs. Ross Church (Florence Maryatt), and should be changed.

THE Western News Co. is to publish "Poems by Clint Parkhurst, of Iowa," dedicated to the surviving private soldiers of the Seventeenth Army Corps "by one who shared their vicissitudes and glories,"

J. Sabin & Sons have lately received a considerable invoice of elegant books, consigned from London by the resident partner there, in which are some bargains in fine books.

PROF. CAIRNES is writing a new work on Political Economy in the light of new developments, particularly of the labor and capital problem. An interesting feature will be an examination of the principles of international trade, and a criticism of some of the theories of American protectionists.

A NEW LIFE OF FRANKLIN.—A new and complete Life of Benjamin Franklin, by the Hon. John Bigelow, is now passing through the press of

J. B. Lippincott & Co., and will be published shortly. It is said to be constructed on an entirely novel plan, which is expected to lend new charms to the story of Franklin's wonderful career.

THE AUTHORIZED LIFE OF EDWIN FORREST.—
J. B. Lippincott & Co., Philadelphia, announce that by arrangement with the executors they have in course of preparation the life of this celebrated tragedian, by Rev. W. R. Alger, of Boston, from facts and material furnished by Mr. Forrest, before his death, to Mr. Alger, and other papers supplied by the executors. The volume will embrace about 500 octavo pages, and will be illustrated with at least ten fine engravings, representing Mr. Forrest in different characters, and two portraits of himself and one of his mother, all from steel plates. The volume is to be published in handsome style, and promises to be a very interesting and valuable work.

THE London Publishers' Circular registered, during the past year, 3,463 new books and pamphlets, 1,286 more which appeared in new editions, and 242 American importations-which latter must represent but a small proportion of all, since the number of these is admitted to be in rapidly increasing ratio each year. Of the original publications, those in theology, as usual, take the lead, though, counting reprints, fiction has pressed itself to the fore. There were 564 new volumes in theology, 507 in fiction, 402 in art, science, etc., 296 in education, classics, and philology, 288 in history and biography, 231 year-books and bound serials, 221 in poetry and drama, 219 in juvenile literature, 191 in travel, 121 in essays, belles-lettres etc., 104 each in medicine and economics, and 77 in law, besides 134 miscellaneous, including pamphlets, not sermons. Of these 3,463, therefore, only a few hundred are to be counted as pamphlets. The current of English publishing is shown by the same table to be not far different from our own, December being the maximum month, with 601 new books, and January the minimum, with 99. The production in Germany, 1873, is registered at Leipsic as 13,963 works; our own copyright office, it will be remembered, reported 3,147 bound volumes, and 2,543 pamphlets.

SIGNOR MINGHETTI, Prime Minister of Italy, and eminent in letters, is engaged on a work on "Europe during the Reformation."

REV. Dr. Isaac Handy, of Virginia, is to tell about his fifteen months' imprisonment at Fort Delaware, in a book with the punny title "United States Bonds."

"MOTHER GOOSE" has been done into Latin and will be published, under the title of "Nugæ Inutiles," by Shepard & Gill.

MR. Chas. H. Smythe, for many years with the house of John W. Pittock & Co., Pittsburgh, has lately connected himself with the old-established and well-known firm of J. R. Weldin & Co., booksellers and stationers, 101 Wood street of the same city.

A WORK for every yachtman and yacht-builder is "Yachts and Yachting," by "Vanderdecken" (Mr. Wm. Cooper). It is a clear, practical treatise on the building, sparring, canvassing, sailing, and general management of yachts. It is finely illustrated with many elaborate plates, and is well worth its price, \$10.50.

A FIVE-VOLUME edition of Robert Buchanan's prose and poetical works is to be published shortly in London.

WE are glad to learn that the huge tables of "Descriptive Sociology," by Herbert Spencer, are having a considerable sale. They are dedicated by that great scientist "To my American friends, in recognition of the encouragement I have received from their early-shown and long-continued interest in my works."

R. A. PROCTOR has written a book on "The Universe and the Coming Transits," in which he presents some new views as to the constitution of It will be illustrated with 23 charts the heavens. (4 colored), including two specimens from the author's chart of 324,000 stars.

A FRENCH political novel, entitled the "Social and Natural History of a Family under the Second Empire," is being written by M. Emile Zola, a leader of the "realistic" school. The work is designed to do for the Cæsarian epoch what the "Comédie Humaine" did for the society of the

THE well-known Major Constable, of Harper & Bros., is the son of Mr. Archibald Constable, the great Edinburgh publisher, the memorial of whom is accounted among the most interesting works ever published in England.

A MEMORIAL volume of a Scotch minister, Rev. Mr. McCheyne, was published in 1845, and, although almost unknown out of Scotland, has attained its 105th thousand, and still commands an average sale of 3,000 copies annually.

THAT superb work, "The Birds of North America," drawn and described by Dr. Theo. Jasper, and published by Robert Clarke & Co., Cincinnati, of which five parts are already out, will be completed in thirty-six monthly parts, royal quarto size, at one dollar each. Each part contains eight pages of letterpress and four colored plates.

THE advance orders for Miss Edwards's new novel, "In the Days of My Youth," were so extensive as to exhaust the whole of the first edition, consisting of 2,000 copies, the day after its publication. Porter & Coates have a second edition just ready, with which they hope to be able to fill all orders received.

HARVARD UNIVERSITY CATALOGUE FOR 1873-4. (Charles W. Sever.) Containing a list of schools which compose the University, Government of the University, Corporation and Overseers, Offices of Institution and Government, with a full account of the present working of the college and various schools connected, with course of instruction, prizes, requisites for admission, expenses, etc. The last examination papers for all the schools are also given in full. 12mo, paper, 50 cents.

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